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David Ploss, M.D., James Quillen, M.D.
and Pacific Heart Group, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WESLEY COLVER,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
PACIFIC HEART GROUP, INC., DAVID
PLOSS, JAMES QUILLEN, and DOES
1-50, inclusive,

Defendants.

Case No. C 06-03700 EDL

**ORDER AND
STIPULATION REGARDING
EXTENSION OF DISCOVERY AND
MEDIATION DEADLINES**

DEMAND FOR JURY TRIAL

Discovery is on-going in this case. The depositions of defendants and plaintiff have been taken; however, additional depositions are scheduled and will be scheduled. Additionally, certain document discovery is still on-going. For these reasons, the parties believe that mediation will be facilitated by additional time for discovery.

The parties have conferred and agreed to extend the date for certain discovery deadlines and to extend the date for mediation in this matter in order to assist in evaluation of the case. Therefore, the parties hereby stipulate and move to the Court to order that the following deadlines now apply:

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- 1 1. Expert witness designation: 4/20/07
- 2 2. Deadline for completion of fact (non-expert discovery): 5/4/07
- 3 3. Rebuttal expert witness designation: 5/4/07
- 4 4. Deadline for completion of expert discovery: 6/4/07
- 5 5. Deadline for ADR mediation: 6/29/07
- 6 6. Final hearing date for dispositive motions (9:00 a.m.): [REDACTED] 8/7/07
- 7 **Last day to file dispositive motions: 6/12/07;**
- 8 **Opposition due 6/26/07; Reply due 7/3/07.**

9 The Court previously ordered certain discovery deadlines in its Order of
10 September 25, 2006.

11 Mediation in this matter is currently scheduled for April 27, 2007 with Mediator
12 John Skelton, Esq. The parties are informed and believe that the mediator has no
13 opposition to the extension. The Court previously granted one extension of the mediation
14 deadline in this matter until April 30, 2007. This request for extension of the mediation
15 deadline is made no later than 15 days before the mediation session is to be held in
16 accordance with ADR L.R. 6-5.

17 Trial is currently set in this matter for October 9, 2007. The parties respectfully
18 request that the Court grant their stipulated motion.

19 Dated: April __, 2007

STEVEN J. BRADY

20 By: _____/s/_____
21 Steven J. Brady
22 Attorney for Plaintiff Wesley Collver

23 Dated: April __, 2007

JANSSEN, MALLOY, NEEDHAM, MORRISON,
24 REINHOLTSEN & CROWLEY, LLP

25 By: _____/s/_____
26 Michael Morrison
27 Attorney for Pacific Heart Group, Inc.,
David Ploss, and James Quillen

28 ///

1 Dated: April __, 2007

KEVIN V. RYAN

2 By: _____/s/_____
3

Jonathan U. Lee

Attorneys for Federal Defendants

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5 **IT IS SO ORDERED AS MODIFIED:**

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7 DATED: April 10, 2007

8 The Honorable Elizabeth D. Laporte
United States Magistrate Judge

